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9 CERION GMBH, AND VITRO LASER GMBH

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11 **UNITED STATES DISTRICT COURT**
12 **NORTHERN DISTRICT OF CALIFORNIA**
13 **SAN FRANCISCO DIVISION**

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15 LASER DESIGN INTERNATIONAL, LLC;
and NORWOOD OPERATING COMPANY,
16 Plaintiffs,

17 v.

18 CRYSTAL MAGIC, INC., a Florida
corporation, JIMAC MARKETING, INC., a
19 Canadian corporation, CERION GMBH, a
German limited liability company, and VITRO
20 LASER GMBH, a German limited liability
company,

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Defendants.

22

AND RELATED COUNTERCLAIMS

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Case No. C 03-01179 JSW
Consolidated with No. C 03-3905 JSW

**STIPULATION AND [PROPOSED]
ORDER EXTENDING TIME TO
OBTAIN DISCOVERY FROM NON-
PARTY BERNARD BOLDUC
PURSUANT TO A SUBPOENA**

STIPULATION AND [PROPOSED] ORDER EXTENDING
TIME TO OBTAIN DISCOVERY FROM NON-PARTY
BERNARD BOLDUC PURSUANT TO A SUBPOENA

Case No. C 03-01179 JSW

BY062280.170

1 Plaintiffs Laser Design International, LLC and Norwood Operating Company (“Plaintiffs”), and
 2 defendants and counterclaimants Crystal Magic, Inc., Jimac Marketing, Inc., Cerion GmbH, and
 3 Vitro Laser GmbH (“Defendants,” and collectively, “the Parties”), by their undersigned counsel,
 4 hereby submit the following stipulation:

5 1. This Court, in its May 16, 2006 order granting Defendants’ motion for leave to file
 6 amended final invalidity contentions, extended the discovery deadline in this case until August 18,
 7 2006 to allow the Parties to conduct discovery with respect to the ABBA and CAQE prior art.

8 2. Defendants served a subpoena *duces tecum* on non-party Bernard Bolduc
 9 (“Bolduc”) on or about August 7, 2006, requesting documents and testimony relating to, *inter*
 10 *alia*, the ABBA prior art. The subpoena called for Bolduc to produce requested documents, and to
 11 appear for deposition pursuant to the Québec Special Procedures Act on August 18, 2006.

12 3. Mr. Bolduc is on vacation through the end of August, and would have to interrupt
 13 his vacation and return to Canada to attend his deposition.

14 4. Counsel for the Parties have been unable to resolve certain deposition logistics in
 15 Québec, Canada.

16 4. Counsel for Plaintiffs has stated that it is unavailable from August 21 through the
 17 end of the month.

18 6. Based on the foregoing, the Parties have agreed to extend the time for taking of
 19 discovery relating to the ABBA prior art for the limited purposes of obtaining discovery from
 20 Bolduc.

21 7. Accordingly, the undersigned hereby stipulate that the discovery cutoff be
 22 extended until October 8, 2006 for purposes of discovery relating to the subpoena that Defendants
 23 served on Bolduc.

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1 DATED: August 16, 2006.

2 COOLEY GODWARD LLP

3 By: /s/ Iain Cunningham

4 Iain Cunningham

5 Attorneys for Plaintiffs

6 Laser Design International, LLC

7 and Norwood Operating Company

8 DATED: August 16, 2006.

9 PERKINS COIE LLP

10 By: /s/ Scott D. Eads

11 Scott D. Eads

12 Attorneys for Defendants

13 Crystal Magic, Inc., Jimac Marketing, Inc.,

14 Cerion GmbH, and Vitro Laser GmbH

15 Pursuant to stipulation, IT IS SO ORDERED.

16 DATED: August 18, 2006.

17 By

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Honorable Jeffrey S. White

19 United States District Court Judge

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28 STIPULATION AND [PROPOSED] ORDER EXTENDING
TIME TO OBTAIN DISCOVERY FROM NON-PARTY
BERNARD BOLDUC PURSUANT TO A SUBPOENA

Case No. C 03-01179 JSW